

# EXHIBIT AO

August 27, 2024

K [REDACTED] B [REDACTED]  
D.L. vs MICHIGAN DEPARTMENT OF EDUCATION

1

1 UNITED STATES DISTRICT COURT

2 WESTERN DISTRICT OF MICHIGAN

3 SOUTHERN DIVISION

4  
5 D.L.; K.S.F.; and K.B., by and  
6 through her parent and next friend  
7 H.B.,

8 Plaintiffs,

9 v Case No. 22-cv-00838-RJJ-PJG

10 HON. ROBERT J. JONKER

11 MICHIGAN DEPARTMENT OF EDUCATION, MAG. PHILLIP J. GREEN

12 Defendant.

13  
14 DEPOSITION OF K [REDACTED] B [REDACTED]

15 Taken by the Defendant on the 27th day of August, 2024, at  
16 251 South Rose Street, Kalamazoo, Michigan, at 10:10 a.m.

17  
18 RECORDED BY: Rachelle Roberts, CER 9585  
19 Certified Electronic Recorder  
20 Esquire Deposition Solutions  
21 Firm Registration Number 8035  
22  
23  
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1 Kalamazoo, Michigan

2 Tuesday, August 27, 2024 - 10:10 a.m.

3 REPORTER: We are now on the record at 10:10 a.m.

4 on Tuesday, August 27th, 2024, to take the deposition of

5 K [REDACTED] B [REDACTED] in the case of D.L.; K.S.F.; and K.B., by and

6 through her parent and next friend H.B. versus Michigan

7 Department of Education. My name is Rachelle Roberts,

8 Notary Public and Digital Reporter for Esquire Deposition

9 Solutions in the State of Michigan. I will be capturing the

10 verbatim record of today's proceeding using electronic audio

11 equipment, a computer, and specialized recording software,

12 which is not a form of stenography.

13 The witness is located in Kalamazoo, Michigan and

14 I have confirmed her identity via her attorney. Will

15 counsel in attendance please identify yourselves for the

16 record and state who you represent?

17 MS. SALVATORE: Jennifer Salvatore for the

18 Plaintiffs.

19 MS. HENDLEY: Tacara Hendley for Defendant

20 Michigan Department of Education.

21 THE REPORTER: Absent any objection at this time,

22 counsel and the witness agree to my administration of the

23 oath to this witness and that the final transcript may be

24 used for all purposes allowed by the local rules of civil

25 procedure.

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1 (No verbal response)

2 Hearing no objection, this shall constitute  
3 agreement and stipulation of such, and I will now swear in  
4 the witness.

5 Ms. B ■■■, can you please raise your right hand?  
6 Do you swear or affirm that the testimony you shall give  
7 will be the truth, the whole truth, and nothing but the  
8 truth?

9 MS. B ■■■: Yes.

10 THE REPORTER: Thank you very much.

11 MS. HENDLEY: This is the date and time scheduled  
12 for the discovery deposition of K ■■■ B ■■■ in the matter of  
13 D.L., et al versus Michigan Department of Education, taken  
14 pursuant to Notice and will be used for all purposes under  
15 the applicable Federal Rules of Civil Procedure and Federal  
16 Rules of Evidence.

17 K ■■■ B ■■■  
18 having been called by the Defendant and sworn:

19 EXAMINATION

20 BY MS. HENDLEY:

21 Q Good morning, Ms. B ■■■.

22 A Good morning.

23 Q My name is Tacara Hendley and I'm an attorney for the  
24 Michigan Department of Education. There is a court reporter  
25 who will be taking down everything that me, you, and your

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1 Q And where did you go after ALP?

2 A I went to Milwood.

3 Q Is Milwood just a regular school within Kalamazoo School  
4 District?

5 A Yeah.

6 Q What school year did you go to Milwood?

7 A I went there for seventh and eighth and then I got kicked  
8 out in eighth grade in the middle of the year and had to go  
9 to Youth Advanced Academy.

10 Q Do you remember why you got kicked out of Milwood?

11 A 'Cause I never went to -- never went to class and I was  
12 fighting.

13 Q And then the last school you went to was Youth Advanced  
14 Academy; right?

15 A Yeah.

16 Q Do you remember what year that was? Like what grade year.  
17 I'm sorry.

18 A Eighth.

19 Q So just to be clear, you were kicked out of Milwood in the  
20 middle of the eighth grade year?

21 A Yeah.

22 Q And then once you were kicked out, then you went to --

23 A Youth Advanced Academy.

24 Q And you completed the rest of your eighth grade year there?

25 A Yeah.

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- 1 A ILC, Intensive Learning.
- 2 Q Center?
- 3 A Yeah.
- 4 Q What is the highest grade level of high school that you've
- 5 completed?
- 6 A Eleventh grade.
- 7 Q What high school?
- 8 A Loy Norrix.
- 9 Q Would it be correct that you started the high school in
- 10 2020? Does that sound about right?
- 11 A I think 2021.
- 12 Q Are you currently enrolled in school?
- 13 A No.
- 14 Q Why not?
- 15 A I didn't get the chance to enroll yet, but I'm going to
- 16 enroll this week.
- 17 Q Where do you plan on enrolling?
- 18 A Covenant -- Covenant Academy.
- 19 Q Is that within the Kalamazoo School District?
- 20 A Yeah.
- 21 Q Is it like a special school or it's just a regular --
- 22 A You can go to that school 'til you're 21.
- 23 Q When is the last time you went to high school?
- 24 A Like last year like September.
- 25 Q So was that September of 2023?

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- 1 A Yes.
- 2 Q And that would have been your junior year?
- 3 A That would have been my senior year.
- 4 Q Senior year. So you technically were supposed to graduate
- 5 this year?
- 6 A This year.
- 7 Q Can you tell me again why you stopped going?
- 8 A I just -- I just didn't feel like going to school no more.
- 9 Q Was your mom okay with that?
- 10 A No.
- 11 Q Did she try to enroll you back in school?
- 12 A Yeah.
- 13 Q And you still said "No"?
- 14 A Yeah.
- 15 Q Do you plan on like working towards a high school diploma or
- 16 getting your GED? Like what is your plan?
- 17 A High school diploma.
- 18 Q And technically you only have one school year left --
- 19 right? -- to complete it?
- 20 A Yeah.
- 21 Q Were you involved in like any sports or like extracurricular
- 22 activities while attending school?
- 23 A No; no.
- 24 Q Like never?
- 25 A (No verbal response)

K [REDACTED] B [REDACTED]  
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CERTIFICATE

I, Rachelle Roberts, a Certified Electronic Recorder  
and Notary Public within and for the State of Michigan, do  
hereby certify:

That this transcript, consisting of 58 pages, is a  
complete, true, and correct record of the testimony of K [REDACTED]  
B [REDACTED], given in this case on August 27, 2024, and that the  
deponent was duly sworn to tell the truth.

I further certify that I am not related to any of the  
parties to this action by blood or marriage; and that I am  
not interested in the outcome of this matter, financial or  
otherwise.

IN WITNESS THEREOF, I have hereunto set my hand this  
4th day of September, 2024.

Rachelle Roberts, CER 9585  
Notary Public, State of Michigan  
County of Montcalm  
My commission expires: April 29, 2027



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CERTIFICATE OF TRANSCRIPTIONIST

I, Laura R. Lyman, Legal Transcriptionist, do  
hereby certify:

That the foregoing is a complete and true  
transcription of the original digital audio recording of the  
testimony and proceedings captured in the above-entitled  
matter. As the transcriptionist, I have reviewed and  
transcribed the entirety of the original digital audio  
recording of the proceeding to ensure a verbatim record to  
the best of my ability.

I further certify that I am neither attorney for  
nor a relative or employee of any of the parties to the  
action; further, that I am not a relative or employee of any  
attorney employed by the parties hereto, nor financially or  
otherwise interested in the outcome of this matter.

IN WITNESS THEREOF, I have hereunto set my hand  
this 4th day of September, 2024.

Laura R. Lyman, CER 5813